

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Smith et al.

Serial No.: 10/804,331

Filed: March 19, 2004

For: ***ALPHAVIRUS REPLICONS AND HELPER CONSTRUCTS***

Confirmation No.: 7017

Group Art Unit: 1648

Examiner: B. Blumel

Date: July 2, 2007

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is responsive to the May 30, 2007 Office Action issued regarding the above-referenced patent application.

The Office Action states that claims 1-59 are restricted as follows.

I. Claims 1-36, 47-51 and 57-59, drawn to a recombinant alphavirus particle, classified in class 424, subclass 218.1.

II. Claims 37-46, drawn to a method of making infectious, defective alphavirus particles, classified in class 435, subclass 91.4.

III. Claims 52-55, drawn to a method of eliciting an immune response with invention I, classified in class 424, subclass 93.1.

IV. Claim 56, drawn to a recombinant nucleic acid, classified in class 536, subclass 23.1.

The Office Action goes on to state that further species elections are required. Specifically, the Examiner requests an election of: